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Summary of stakeholders' submissions on Kenya*

Report of the Office of the United Nations High Commissioner for Human Rights

I. Background

1. The present report was prepared pursuant to Human Rights Council resolutions 5/1 and 16/21, taking into consideration the periodicity of the universal periodic review and the outcome of the previous review.¹ It is a summary of 64 stakeholders' submissions² for the universal periodic review, presented in a summarized manner owing to word-limit constraints. A separate section is provided for the contribution by the national human rights institution that is accredited in full compliance with the Paris Principles.

II. Information provided by the national human rights institution accredited in full compliance with the Paris Principles

2. KNCHR referred to relevant recommendations from the previous review that Kenya had supported and stated that:

(a) On 21 July 2023, all death sentences had been commuted to life imprisonment and the Penal Code (Amendment) Bill, 2023, the Preservation of Public Security (Amendment) Bill, 2023, and the Prisons (Amendment) Bill, 2023, had been introduced in Parliament, with a view to abolishing the death penalty;³

(b) although Kenya had committed to preventing torture and impunity through the full implementation of the Prevention of Torture Act, 2017 and the National Coroners Service Act, 2017, had been challenges in this regard;⁴

(c) despite a slight increase in the budgetary allocations for the period 2020 to 2023, funding had remained inadequate for KNCHR to fulfil its mandate;⁵

(d) the delay in adopting the report of the Truth, Justice and Reconciliation Commission by the National Assembly had led to a delay in the establishment of the Restorative Justice Fund;⁶

* The present document is being issued without formal editing.



(e) police officers had been arraigned on charges relating to post-election violence, following the 2007 and 2017 elections; and in relation to the 2022 election, there was also an increase in the number of judicial officers handling election petitions;⁷

(f) the safety of journalists and the freedom of the press during demonstrations had not been protected;⁸

(g) Kenya had yet to adopt a law protecting human rights defenders and the Human Rights Defenders Policy developed by KNCHR; the Public Benefits Organization Act, 2013, had become operational on 14th May 2024; and following the protests in 2024, 16 non-governmental organizations had been accused by the authorities of sponsoring the protests with funding from the Ford Foundation;⁹

(h) the budgetary allocations for the health sector by the National Government and the County Governments for 2023/2024 was significantly below the 15 percent of the annual budget as pledged in the Abuja Declaration of 2001;¹⁰ and under the National Reproductive Health Policy (2022–2032) consent of the parental or guardian was required to provide a child with reproductive health services and the Children Act, 2022, prescribed a similar requirement, which should be repealed;¹¹

(i) following the withdrawal of the Finance Bill 2024, the education sector had faced significant budgetary cuts that would adversely affect the recruitment and training of teachers;¹²

(j) the lack of budgetary allocation for the implementation of the National Action Plan on Business and Human Rights, which was launched in May 2023, slowed the adoption of policy actions by key stakeholders;¹³

(k) efforts to eradicate female genital mutilation had been hindered by its medicalization;¹⁴

(l) despite commendable initiatives taken to combat discrimination and violence against children, cases of child-trafficking, harmful cultural practices, and economic exploitation of children had continued to be reported;¹⁵

(m) the draft national action plan on child marriage had yet to be finalized and there was a lack of updated statistics on the prevalence of child marriage;¹⁶

(n) the enactment of Statute Law (Miscellaneous) Amendments Act, 2023, amended sections of the Penal Code and the Evidence Act by removing the derogatory language that was used to describing persons with disabilities;¹⁷

(o) there were ongoing efforts to adopt the National Action Plan on Albinism (2023–2028);¹⁸

(p) The Refugees Act, 2021, had been operationalized through the Refugees (General) Regulations, 2024, but the process of obtaining refugee identification and status determination had remained slow.¹⁹

III. Information provided by other stakeholders

A. Scope of international obligations²⁰ and cooperation with human rights mechanisms

3. JS9 recalled that at the previous review, recommendations to ratify ICPED had not enjoyed the supported of Kenya and called for the ratification of this Convention.²¹

4. JS10 noted that Kenya had yet to ratify ICCPR-OP2;²² IMLU noted that Kenya had yet to ratify OP-CAT;²³ JS31 noted that Kenya had yet to ratify OP-CRC-SC;²⁴ JS43 noted that Kenya had yet to ratify Convention No. 189²⁵ and Convention No. 190²⁶ of the International Labour Organization;²⁷ ICAN noted that Kenya had yet to ratify the Treaty on the Prohibition of Nuclear Weapons;²⁸ and CGNK noted that Kenya had yet to ratify the Convention on the Prevention and Punishment of the Crime of Genocide.²⁹

B. National human rights framework

1. Constitutional and legislative framework

5. JS6 stated that the Assembly and Demonstration Bill contained problematic provisions, including a ban on wearing face coverings during demonstrations and the granting of excessive discretion to the authorities to restrict demonstrations.³⁰

6. JS6 stated the Computer Misuse and Cybercrimes (Amendment) Bill, which proposed changes to the contentious Computer Misuse and Cybercrimes Act, 2018, was an attempt to restrict online expression and expand state censorship.³¹

7. JS16 stated that the delay in adopting the Education Bill, 2024, and the National Education Policy had hindered progress towards the implementation of the National Education Sector Strategic Plan, 2023–2027.³²

8. JS42 highlighted concerns with the Religious Organizations Bill, 2024, which included its unjust limitation of religious activities and the lack of involvement of stakeholders, including religious leaders, in its development.³³

9. JS18 stated that the Family Protection Bill 2023, proposed criminalizing homosexuality, same-sex marriage and activities promoting them. It also proposed criminalizing the production, marketing, advertising, publishing, printing, broadcasting, and distribution of any content, including of an artistic nature, which “promoted” or “encouraged” homosexuality.³⁴

10. TCC stated that election reforms had stalled since 2017 due to Parliament’s failure to pass electoral reform legislation, including the Draft Independent Electoral Boundaries Commission (Amendment) Bill 2020, Draft Election Campaign Financing Regulations 2020, and Rules and Procedures on Delimitation of Boundaries.³⁵

2. Institutional infrastructure and policy measures

11. JS27 stated that the underrepresentation of marginalized communities in government decision-making processes within Disaster Risk Management institutions had contributed to policies that had not accounted for the vulnerabilities and needs of these groups.³⁶

C. Promotion and protection of human rights

1. Implementation of international human rights obligations, taking into account applicable international humanitarian law

Equality and non-discrimination

12. WCC-CCIA highlighted the persistence of gender inequality in Kenyan society, which it attributed to societal attitudes towards educating girls and discriminatory stereotypes about the roles of women and men in both family and society.³⁷

13. Recalling that at the previous review, Kenya had received 12 recommendations pertaining to the rights of LGBTIQ+ persons to equality and non-discrimination, and to combat violence and stigmatization against them, JS3 state that speeches that had been delivered by state officials had appeared to convey anti-LGBTIQ+ sentiments and use homophobic language; and that LGBTIQ+ persons had experienced stigma and discrimination.³⁸

Right to life, liberty and security of person, and freedom from torture

14. JS41 recalled that at the previous review, Kenya had supported recommendations in relation to the death penalty, including commuting the death sentences of prisoners on death row and finalizing the implementation of a Supreme Court ruling that the mandatory death penalty for certain offences was unconstitutional.³⁹ However, recommendations to establish a formal moratorium on or abolish the death penalty, had not enjoyed the support of Kenya.⁴⁰

15. JS10 stated that a de facto moratorium on executions had been in place for years. However, the courts had continued to sentence convicts to death.⁴¹

16. JS9 stated that there was lack of progress in implementing supported recommendations from the previous review in relation to the investigation of allegations of extrajudicial executions, enforced disappearance and excessive use of force by security forces.⁴²

17. JS22 stated that extrajudicial killings were prevalent and that there was a lack of effective investigation and prosecution of officers allegedly responsible for such killings and that investigative agencies had lacked capacity in forensic investigation, evidence preservation and presentation.⁴³

18. JS21 and JS22 stated that enforced disappearance had remained a significant issue, with minimal investigation and prosecution of those allegedly responsible. Security agencies had been implicated in abductions, which had often been justified on the basis of suspicions of terrorism, protests, and political dissent.⁴⁴

19. AU-ACHPR expressed concern about the persistence of police brutality, excessive use of force and the culture of impunity in relation to the police.⁴⁵ FPU stated that there had been high rate of impunity for crimes against journalists, despite Kenya supporting a recommendation to investigate attacks against journalists at the previous review.⁴⁶

20. JS22 stated that there had been a persistent culture of impunity for acts of torture and an inadequate enforcement of the law, including the Prevention of Torture Act, 2017. The cultural acceptance and normalization of torture as a means of interrogation and punishment remained deeply entrenched and had been viewed as a legitimate way to extract information.⁴⁷ JS41 stated that police had used torture and violence during interrogations and against suspects in pre-trial detention and prisoners.⁴⁸

21. JS11 stated that prisoners on death row had faced challenging conditions, including prison overcrowding, limited access to basic services, and psychological distress.⁴⁹

Human rights and counter-terrorism

22. JS33 stated that the security policies and legislations to counter threats of terrorism and other associated activities were not aligned with international human rights standards.⁵⁰ The Prevention of Terrorism Act, 2012, did not comprehensively define “terrorism” to a regionally recognised or internally agreed-upon standard, which had led to an arbitrary application of this law, discrimination and profiling.⁵¹ JS44 stated that counter-terrorism activities had disproportionately affected Muslims.⁵²

Administration of justice, including impunity, and the rule of law

23. ICJ stated that the Judiciary had continued to remain underfunded, which had adversely affected access to justice.⁵³ ICJ stated that there had been challenges in the implementation of the Legal Aid Act, 2016, including the limited budgetary allocations to operationalize the legal aid fund.⁵⁴

24. JS41 stated that the abolition of the mandatory death sentence for murder by the Supreme Court⁵⁵ had led to several applications for the re-sentencing of convicts who had been sentenced to death. In ruling on these applications, courts had delivered inconsistent and unpredictable re-sentencing decisions. In 2023, the Judiciary had introduced the amended Sentencing Policy Guidelines, 2023, which included best practices on sentencing and resentencing. However, efforts to raise awareness of the Guidelines were limited and therefore urgent sensitization for all judicial stakeholders was required.⁵⁶

25. JS2 and JS36 stated that in 2023, the Judiciary had established sexual and gender-based violence courts and pilot courts had been established in Mombasa, Siaya and Kisumu.⁵⁷ JS43 recalled that at the previous review, a recommendation to establish sexual and gender-based violence courts had enjoyed the support of Kenya and called for the established of such courts in all counties, as well as the establishment of a specialized police unit within the Ministry of Interior and National Administration to oversee the enforcement of the Sexual Violence Act, 2006.⁵⁸

26. Recalling that at the previous review, a recommendation to inter alia intensify efforts to secure redress for survivors of sexual violence following the 2007 and 2017 presidential elections had been supported by Kenya, PHR stated there had been significant challenges in this regard and that Kenya must ensure that justice was not only accessible but timely.⁵⁹

27. JS31 stated that access to justice for children had been hindered by lengthy periods in custody, inordinate delays in their cases and lengthy trials, and the lack of legal representation.⁶⁰

28. NL stated that the criminal justice system had proven ineffective in prosecuting cases of violations against SOGIE⁶¹ persons and key populations.⁶²

Fundamental freedoms and the right to participate in public and political life

29. ECLJ referred to a relevant supported recommendation from the previous review on the protection of Christians from terrorist groups and stated that the operations being carried by Kenya were proving to be successful.⁶³ LWF stated that there had been a notable infiltration of unqualified leaders in religious institutions, unregistered institutions, and a trend for religious institutions to operate as private institutions, due to the fact that Kenya lacked a regulatory framework for religious institutions.⁶⁴

30. JS6 stated that although at the previous review, recommendations to uphold the right to freedom of expression had enjoyed the support of Kenya, the Penal Code continued to prescribe content-based restrictions on expression that failed to meet international human rights standards.⁶⁵ JS5 stated that Sections 22 and 23 the Computer Misuse and Cybercrimes Act, 2018, were used to target bloggers.⁶⁶ JS37 stated that internet shutdowns and restrictions on digital platforms had become a growing concern.⁶⁷

31. Several stakeholders highlighted concerns about threats, intimidation, harassments, surveillance, and assaults on journalists, which had led to some journalists self-censoring their reporting for fear of reprisals.⁶⁸ FPU considered supported recommendations from the previous review relating to the protection of freedom of expression and the safety of journalists to have not been fully implemented.⁶⁹

32. JS12 stated that Sections 78 and 79 of the Penal Code which addressed unlawful assembly and Section 95 of the Penal Code which pertained to a threat to the breach of peace, had been frequently misused by law enforcement agencies to threaten, intimidate, or harass civil society organizations and human rights defenders, thereby undermining their right to peaceful assembly.⁷⁰

33. JS9 stated that mass protests had begun in response to the government's Finance Bill 2024/2025. Despite the protests being largely peaceful, there had been allegations of the use of excessive and lethal force by the police and security agents, arrests of hundreds of peaceful protestors, and reports of enforced disappearances.⁷¹ JS5 stated that police had allegedly attacked journalists with impunity under the guise of dispersing protestors.⁷² JS37 stated that those media outlets that had been perceived to have been covering the protests, or sympathetic to them, had faced warning and threats of closure or financial penalties.⁷³

34. JS9 stated that reports of the silencing of government critics and dissenting voices, attacks on journalists and human rights defenders and enforced disappearances of protestors were deeply concerning and reflected the lack of implementation of relevant supported recommendations from the previous review.⁷⁴

35. JS10 stated that the safety and well-being of human rights defenders had been increasingly threatened and noted the lack of a legal framework to ensure their protection.⁷⁵

36. JS12 stated that the Community Groups Registration Act, 2022, granted the Director of Social Development excessive power over community-based organizations, which risked interfering with the activities and objectives of these organizations.⁷⁶

37. Noting that at the previous review, recommendations to inter alia implement the Public Benefits Organizations Act, 2013, had enjoyed the support of Kenya,⁷⁷ JS6 stated that this Act, which came into force in May 2024, provided that all registered non-governmental organizations had 12 months to migrate to the new registration regime. However, guidelines to facilitate this migration had yet to be developed.⁷⁸

38. JS6 stated that although Kenya had made significant progress in creating a strong legal framework for ensuring access to information, practical implementation had remained a challenge with a frequent lack of response to information requests from public institutions.⁷⁹

39. JS2 and JS36 stated that Kenya had faced obstacles in the advancement of women in positions of public and political leadership. There was a lack of political will to implement the two-third gender principle as enshrined in the Constitution.⁸⁰

40. ICJ stated that the Independent Electoral and Boundaries Commission, which was mandated to supervise referenda and elections, had no commissioners, which had hampered the delineation of boundaries process and had stalled election processes.⁸¹

Right to privacy

41. Recalling that at the previous review, Kenya has supported a recommendation to ensure that any surveillance and profiling of citizens respected the right to privacy and were subjected to judicial oversight, JS6 stated that the authorities had continued to have extensive powers to conduct mass and targeted surveillance, without appropriate human rights safeguards.⁸²

42. ICJ stated that the growing digital economy had led to an increase in the collection and processing of personal data, with weak safeguard in place, and called for a strengthening of the enforcement of the Data Protection Act, 2019.⁸³ JS32 noted concerns about the voter register not been effectively regulated, which had led to a mishandling of voters' data.⁸⁴

43. JS5 stated that the use of surveillance technology to monitor individuals and their activities both online and offline had triggered fears of identification and persecution amongst Kenyan citizens.⁸⁵

Right to marriage and family life

44. JS1 stated that despite relevant policies to address marriage and family-related challenges, there were high rates of divorce and separation, and a relatively high number of female-headed households.⁸⁶

Prohibition of all forms of slavery, including trafficking in persons

45. JS10 stated that efforts to combat trafficking in persons had been hindered by a lack of awareness among judicial officers and law enforcement agencies of the Counter-Trafficking in Persons Act, 2010.⁸⁷

Right to work and to just and favourable conditions of work

46. ICJ stated that youth unemployment was critically high due to factors which included a mismatch between educational qualifications and job market requirements, lack of practical skills and limited opportunities in the formal sector. Government initiatives had limited success because of inadequate funding and poor implementation.⁸⁸

47. JS2 stated that migrant women workers had faced significant labour rights challenges with little or no redress, which was exacerbated by the lack of a proper legal and policy framework on migrant work.⁸⁹

48. EATHAN stated that transgender persons had faced discrimination in the workplace, with many employers refusing to hire or retain transgender employees.⁹⁰

49. JS43 stated that sexual harassment in the informal employment sectors was prevalent and that there was a need for legislative and policy measures to protect workers.⁹¹

Right to social security

50. JS14 stated that Kenya had been unable to provide comprehensive social security coverage due to inadequate social protection programmes. Expanding coverage to include vulnerable groups was essential for reducing poverty and vulnerability.⁹²

Right to an adequate standard of living

51. ICJ stated that the lack of effective fiscal policies and safety nets by the government to address the substantial increase in the cost of living and the surge in inflation had left many families struggling to meet basic needs.⁹³

52. JS17 stated that Kenya had expressed its commitment to addressing food insecurity, as demonstrated by its support for relevant recommendations from the previous review.⁹⁴ JS34 stated that Kenya had failed to fully implement an integrated rights-based approach to food and nutrition security.⁹⁵ JS4 stated that millions of people had experienced food insecurity due to climate change and that the severity of food insecurity was expected to worsen, despite Kenya making progress in the adaptation of the agricultural sector towards achieving food security.⁹⁶ JS34 stated that agri-food systems were embedded in unsustainable conventional practices and that there was reduced investment in the agricultural sector.⁹⁷

53. JS15 stated that since the previous review, Kenya had made notable progress in advancing housing rights through legislative, policy, and practical measures.⁹⁸ According to JS14, little attention had been given to producing affordable housing for the poorer segments of the population.⁹⁹ JS10 stated that the affordable housing programme had experienced challenges such as high costs and complex acquisition processes and had led to forced evictions.¹⁰⁰

54. Noting that between 2022 and 2024, there had been several significant instances of arbitrary and unlawful evictions of marginalized communities, JS15 stated that the effects of such evictions had a profound effect on displaced families, which had been further exacerbated by the lack of adequate resettlement options and compensation.¹⁰¹

55. JS14 stated that informal settlement dwellers had experienced inadequate housing conditions, characterised by poor sanitation, unsafe structures, and lack of basic amenities.¹⁰²

56. JS15 stated that investments in water, sanitation, and hygiene (WASH) had decreased from 2.17 percent of the total budget in 2019 to 1.84 percent of the 2022/23 budget. The budgetary allocation of 1.84 percent was below the Sanitation and Water for All (SWA) commitment which required an allocation of at least 7 percent of the total budget to the WASH sector.¹⁰³

57. JS23 stated that the affordability, reliability, and supply of energy countrywide had not resonated with the common citizen and that electricity was inaccessible to them because of its high cost.¹⁰⁴

Right to health

58. JS20, JS25 and JS38 stated that health budget was below the 15 percent allocation of the total budget, as stipulated in the Abuja Declaration.¹⁰⁵ JS10 stated that the health sector had received inadequate resources and had been understaffed, and the scarce resources had been depleted due to poor resources management and misappropriation of funds.¹⁰⁶

59. Recalling that at the previous review, Kenya had supported a recommendation to ensure access to sexual reproductive health services for girls and young women, JS35 stated that these groups had continued to face barriers to accessing the health care and information necessary for their sexual and reproductive well-being, leaving them vulnerable to adverse health outcomes.¹⁰⁷

60. JS10, JS20 and JS38 stated that the National Reproductive Health Policy 2022–2032, excluded young women and girls below the age of 21 from accessing or receiving critical reproductive health care services or information, by imposing the unreasonable requirement of parental consent before such services were provided.¹⁰⁸ JS35 stated that there were challenges in addressing unintended adolescent pregnancies, including the lack of comprehensive age-appropriate sexual education.¹⁰⁹ Access to sexual and reproductive health information and services to adolescents and youth should be increased.¹¹⁰ Noting the challenges faced by girls and young women in access menstrual health products, JS2 and JS36 stated that the Kenya Menstrual Health Management Strategy and Policy 2019–2030 had structured the government's intention to make menstrual health products accessible and affordable to women and girls from low-income backgrounds.¹¹¹

61. C-Fam stated that the maternal mortality ratio in Kenya had remained one of the highest among sub-Saharan African countries.¹¹² ADF stated the deteriorating condition of healthcare facilities had hindered access to adequate pregnancy care. Obstetric haemorrhage and hypertensive disorders of pregnancy had been reported as the leading causes of maternal near-miss events and maternal deaths.¹¹³

62. Noting that the Constitution made provision for abortion under certain conditions, JS20 and JS38 stated that the criminalization of abortion in the Penal Code had created a situation where abortion needs were poorly understood and difficult to address.¹¹⁴ C-Fam stated that public opinion on abortion remained largely unfavourable towards liberalizing the restrictions in the Penal Code.¹¹⁵

63. Referring to relevant supported recommendations from the previous review, JS3 stated that the Ministry of Health Taskforce on Mental Health failed to identify sexual orientation, gender identity and/or gender expression as factors linked to mental health and that the Mental Health Policy 2015–2030 did not identify LGBTIQ+ persons as a vulnerable group.¹¹⁶ JS25 stated that this Policy, Mental Health Action Plan 2021–2025, and Mental Health Act, 2023, had not been fully implemented, and that there was also a lack of national guidelines to address stigma and discrimination within mental health facilities and communities.¹¹⁷ CAPMHK stated that there was poor access to mental health services for reasons which included a low budget allocation for mental health and few skilled mental health professionals.¹¹⁸

64. NL stated that Kenya had adopted a strict prohibitionist approach to drug-use under the Narcotic Drugs and Psychotropic Substances (Control) Act, 1994.¹¹⁹ JS26 stated that drug-use was treated as a crime instead of a public health and human rights concern. JS26 and JS8 stated the criminalization of drug-use had perpetuated stigma, discrimination, and barriers to equitable healthcare access for people who use drugs.¹²⁰

65. JS20 stated that there were knowledge gaps on HIV prevention among youth and that key populations had inequitable access to safe, effective, and quality HIV services.¹²¹

66. JS27 stated that key populations and SOGIE¹²² persons had faced a disproportionately high burden of HIV, yet access to essential prevention, treatment, and care services had remained suboptimal.¹²³

67. JS25 stated that there was a lack of adequate facilities for persons with Tuberculosis; and health care providers had often assumed that persons with Tuberculosis were HIV-positive and denied them treatment unless they had undergone a test for HIV.¹²⁴

Right to education

68. JS16 stated that free primary education and free day secondary education had been implemented through an allocation of capitation per learner, which had not increased in line with inflation and the cost of living. This had also led to inadequate funding for school meals, development of school infrastructure, employment of more teachers, and the launching of a new higher education funding model for scholarships and loans.¹²⁵

69. JS17 stated that despite Kenya supporting recommendations to ensure access to education in rural areas at the previous review, rural areas had remained underserved, with inadequate infrastructure and resources.¹²⁶ JS14 stated that there were gaps in access to education in informal settlements, including through a significant shortage of schools.¹²⁷

70. JS10 stated that there was low awareness of the competency-based curriculum among parents, teachers and education officials, which had limited their engagement with the curriculum.¹²⁸ JS23 stated that lack of access to the internet and the lack of digital devices due to affordability had hindered effective learning under the competency-based curriculum.¹²⁹

71. JS39 stated that the Ministry of Education had yet to integrate comprehensive sexuality education into the school curriculum and that in 2023, Kenya had withdrawn from the Eastern and Southern Africa Ministerial Commitment on Comprehensive Sexuality Education.¹³⁰

72. JS16 noted the lack of a framework to operationalize the Open University of Kenya and for open and distance learning in Technical and Vocational Education institutions and tertiary institutions.¹³¹

73. JS44 stated that in 2022, the Ministry of Education had determined that schools had been using religion as a factor to either deny admission or expel students. The Ministry had also found that schools had been prohibiting the wearing of religious attire, amongst other violations.¹³²

Development, the environment, and business and human rights

74. JS10 stated that due to unsustainable public debt, a significant portion of government revenue went towards servicing the debt, which had resulted in limited available resources for essential services such as health care, education, and social protection.¹³³

75. JS4 stated that recurring droughts and floods had caused huge disruptions and that the lack of a comprehensive disaster management policy had led to disjointed responses across government agencies.¹³⁴

76. JS4 noted that ecosystems in the Mangrove forests had faces serious threats due to their deforestation and degradation, which had a negative impact on fisheries, shoreline stability, and resource sustainability.¹³⁵

77. JS7 expressed concern about environmental pollution, particularly related to oil and gas exploration in areas like Turkana South.¹³⁶

2. Rights of specific persons or groups

Women

78. JS2 stated that gender-based violence had continued to be a concern with increasing numbers of women being killed and more women being bullied on online platforms, and an evident lack of accountability for these acts of violence.¹³⁷ JS13 stated that the response by Kenya to femicide and gender-based violence against women and girls, which had been perpetrated by various actors, including intimate partners and state officers, had been insufficient.¹³⁸

79. JS2 and JS36 stated that increasing numbers of women and girls had experienced emerging forms of gender-based violence that had not been criminalized and included technologically facilitated gender-based violence and sextortion in institutions of learning.¹³⁹

80. JS43 stated that there were inadequate state-funded shelters and safe places for survivors of sexual violence.¹⁴⁰ JS2 stated that in 2021, the POLICARE initiative was launched as a multi-agency service provider in response to sexual and gender-based violence. However, the roll out of the POLICARE centres country-wide had stalled with the change in government in 2022.¹⁴¹

81. Recalling that at the previous review, Kenya had supported several recommendations to eradicate harmful cultural practices, JS35 noted that while the national prevalence of female genital mutilation had decreased, the practice had remained entrenched in 22 of the 47 counties. Efforts to combat these practices had been hampered by complex cultural and economic factors.¹⁴²

Children

82. JS10 stated that there had been challenges in the implementation of the Children Act, 2022, due to the lack of a robust framework for resource allocation, monitoring and coordination.¹⁴³

83. JS30 stated that child marriage had flourished. JS30 and JS45 recalled that in the previous review, recommendations to adopt and implement an action plan to end child marriage had enjoyed the support of Kenya and considered these recommendations to have not been implemented, as the draft national action plan had yet to be finalized and implemented.¹⁴⁴

84. Noting relevant legal and policy frameworks to protect children, JS45 stated that violence against children was a serious problem and child sexual exploitation had continued to be an issue both offline and online.¹⁴⁵

Older persons

85. JS46 stated that older persons had experienced difficulties in accessing basic services and that there was insufficient prioritization of older persons' rights in the government agenda due to a lack of political will.¹⁴⁶

86. JS10 stated that older persons had been killed following accusations of practicing witchcraft and cited a 2021 case of the lynching of 4 women who had been accused of being witches.¹⁴⁷

Persons with disabilities

87. JS14 stated that persons with disabilities had faced discrimination across various sectors, including in accessing education, labour markets, transportation, housing, health, and social protection. They also faced challenges in accessing information, public spaces, and key public services.¹⁴⁸

Indigenous Peoples and minorities

88. JS15 stated that the unequal access to land and insecure land tenure had affected indigenous communities relying on customary land tenure systems. The Community Land Act, No. 27 of 2016, sought to enhance land management, operationalizing Article 63 of the Constitution that recognized community land rights, but its implementation had struggled with the formalization of these rights.¹⁴⁹

89. JS7 stated that the Ogiek community had faced historical land injustices, with the most recent eviction in 2023, which displaced 700 families in the Maasai Mau Forest block. The forced eviction of the Endorois community had affected about 6000 people.¹⁵⁰

90. JS7 stated that restrictive policies on local seed usage had limited the use, exchange and sale of indigenous seeds, which increased food insecurity for peasants. Also, access to water for farming had remained a significant challenge for peasants.¹⁵¹

Lesbian, gay, bisexual, transgender and intersex persons

91. JS3 stated that consensual same-sex sexual activity between adults had continued to be criminalized. Many LGBTQ+ persons had experienced violence, detention, deprivation of basic needs, and other human rights violations, which had been committed by their families, religious leaders and other non-State actors under the guise of "conversion therapies," which was a common practice in Kenya.¹⁵²

92. JS18 stated that anti-LGBTI legislation had diminished the rights of LGBTI artists and justified the censorship of LGBTI themed artistic content.¹⁵³

93. JS3 stated that intersex persons had been recognised in the 2019 National Population census and in the Children Act, 2022. However, adult intersex persons had not received similar legal recognition and protections.¹⁵⁴

94. EATHAN stated that transgender persons did not have legal avenues to change their gender markers on national identification documents.¹⁵⁵

Migrants, refugees and asylum-seekers

95. JS28 stated that the socio-economic inclusion of refugees had been hampered by restrictive laws and the absence of clear policies which had hindered their ability to obtain work permits, register businesses or access financial services. In addition, lengthy Refugees Status Determination processes and untimely renewal of expired identification documents had left refugees and asylum seekers in legal limbo and unable to access certain protection services and assistance.¹⁵⁶

Stateless persons

96. JS24 stated that Kenya did not have a statelessness determination procedure and was neither a party to the 1954 Convention on the Status of Stateless Persons nor the 1961 Convention on the Reduction of Statelessness.¹⁵⁷

Notes

¹ A/HRC/44/9 and A/HRC/44/9/Add.1, and A/HRC/45/2.

² The stakeholders listed below have contributed information for this summary; the full texts of all original submissions are available at: www.ohchr.org (one asterisk denotes a national human rights institution with A status).

*Civil society**Individual submissions:*

ADF	ADF International, Geneva (Switzerland);
BC	Broken Chalk, Amsterdam (Netherlands);
CAPMHK	Coalition Action for Preventative Mental Health, Nairobi (Kenya);
C-Fam	Center for Family and Human Rights, Geneva (Switzerland);
CGNK	Center for Global Nonkilling, Geneva (Switzerland);
EATHAN	East Africa Trans Health and Advocacy Network, Nairobi (Kenya);
ECLJ	European Centre for Law and Justice, Strasbourg (France);
FPU	Free Press Unlimited, Amsterdam (Netherlands);
ICAN	International Campaign to Abolish Nuclear Weapons, Geneva (Switzerland);
ICJ	International Commission of Jurists – Kenya Section, Nairobi (Kenya);
IMLU	Independent Medico-Legal Unit, Nairobi (Kenya);
LWF	Lutheran World Federation's Member Church: Kenya Evangelical Lutheran Church, Nairobi (Kenya);
NL	Next Generation Lawyers-Kenya (Kenya);
PHR	Next Generation Lawyers-Kenya Physicians for Human Rights, New York (USA);
TCC	The Carter Center, Atlanta (USA);
WCC-CCIA	World Council of Churches, Geneva (Switzerland).

Joint submissions:

JS1	Kenya Christian Professionals Forum, Secular Franciscan Order- Kenya, JPIC office of the Comboni Missionary of the Heart of Jesus, Alabasta Africa, Pearls & Treasures Trust, Protecting Life Movement Trust, Pro-life Kariobangi, Africa Centre for Social Change Health and Development, Kenya Catholic Doctors Association, CitizenGO, Human Life International- Kenya and Our Lady of Charity of the Good Shepherd, Nairobi (Kenya) (Joint Submission 1);
JS2	African Gender and Media Initiative Trust, Association of Media Women in Kenya, Centre For Domestic Training & Development, Centre for the Study of Adolescents, Centre for Rights Education and Awareness, Flone Initiative, Plan International, Polycom Girls, Wangu Kanja Foundation, Women Empowerment Link, Zamara Foundation, Nairobi (Kenya) (Joint Submission 2);
JS3	The Advocates for Human Rights, Minneapolis (United States of America) and The Eagles for Life Kenya (Joint Submission 3);
JS4	Centre for the Study of Adolescence, East African Centre for Human Rights, East African Wildlife Society, Kenya Human Rights Commission, Pastoral climate Action, and The Arid Lands Information Network (Joint Submission 4);
JS5	Association for Progressive Communications, Johannesburg (South Africa) and Kenya ICT Action Network, Nairobi (Kenya) (Joint Submission 5);
JS6	ARTICLE 19 and The Committee to Protect Journalists (Joint

- Submission 6);
- JS7 Centre for Minority Rights Development (Kenya), Endorois Welfare Council, Dupoto E maa, Network Empowering Samburu Transformation, Emparnat, Baringo Women and Youth Organization, Yiaku Laikipia Trust, Koimugul Indigenous Women Network, Ogiek Sisters for Sisters, Northern Indigenous People Organization, Shella Beach Management Unit, Tuangazie Jamii, Power, Lamu Minority People and Development, Illaramatiak Community concerns, Kimaeti Farmers Association, Ajomi Farmers, ASEGIS Community Network, Initiative for Nature Volition and Environmental Development, Article 43 Human Rights, SOET CBO, Bunyala Development Forum, Indigenous Livelihood Enhancement Partners, Chepkitale Indigenous Peoples Development Programme, Indigenous Women Council, Catholic Dioceses of Machakos, Utooni Development Organization, Caritas Kakamega, Catholic Dioceses of Kitui, Caritas Nyahururu, and Indigenous Peoples for Peace and Climate Justice (Joint Submission 7);
- JS8 The Caucus on Harm Reduction and Drug Policy Reforms, comprising of the Kenya Network of Persons Who use drugs, Women in Response to HIV/AIDS and Drug Addiction, Reach Out Centre Trust, Muslim Education Welfare Association, Teens Watch, SHAPE Kenya, New Leaf, Kuza Trust, Next Generation Lawyers, VOCAL Kenya, The Key Populations Consortium, Coalition Action for Preventive Mental Health and Mumbo International (Joint Submission 8);
- JS9 Christian Solidarity Worldwide and Christian Solidarity Worldwide – Nigeria (Joint Submission 9);
- JS10 The East African Centre for Human Rights, Nairobi (Kenya) (Joint Submission 10);
- JS11 ECPM (Ensemble contre la peine de mort/Together Against the Death Penalty, Paris (France) and Crime Si Poa (Youth Safety Awareness Initiative) (Joint Submission 11);
- JS12 The East and Horn of Africa Human Rights Defenders Project, Kampala (Uganda) and the National Coalition of Human Rights Defenders (Kenya) (Joint Submission 12);
- JS13 Murang'a Stars, Healing Hearts CBO, Citizen Voice and Action, Nandi Women Network, Rafiki Voices CBO, Eldoret Sex Worker Association, The Queer Republic, Nguvu Collective (Kenya) (Joint Submission 13);
- JS14 Edmund Rice International Limited, VIVAT International, Edmund Rice Centre Nairobi, Ruben Centre, Edmund Rice Network-East Africa, Edmund Rice Catholic Education Center, Education for Life, Eldoret, and Edmund Rice Eldoret Empowerment Program (Joint Submission 14);
- JS15 Economic and Social Rights centre, Housing Coalition and Pamoja Trust (Joint Submission 15);
- JS16 Akili Dada, Center For Resilience and Sustainable Africa, Centre for Innovative Community Advocacy and Development, Collaborative Centre for Gender and Development, Counter Human Trafficking Trust -East Africa, Global Initiative for Economic, Social & Cultural Rights, Florics of Hope Africa, Forum for African Women Educationalists - Kenya Chapter, Haki Jamii, Jesuit Hakimani Centre, Juhudi Centre, Kaka Amua Group, Kenya Human Rights Commission, Kilifi Youth On The Move, Rural Agency for Community Empowerment & Sustainability – Africa, RefuSHE, The Safenest organization, Socially Organized Educative Team, The CRADLE, The Children Foundation, The East African Centre for Human Rights (Joint Submission 16);

JS17	Marist International Solidarity Foundation and Our Lady of Orote-Marist Brothers of Kenya (Joint Submission 17);
JS18	Freemuse, Asker (Norway) and The Nhimbe Trust, Bulawayo (Zimbabwe) (Joint Submission 18);
JS19	Grace Agenda, Nairobi (Kenya) and National Victims and Survivors Network (Kenya) (Joint Submission 19);
JS20	We Lead Kenya, Restless Development, FEMNET, POSITIVE VYBES, MARSA, HIVOs, AMKA Africa, Positive Young Women Voices, Resilient Action International, Centre for the Study of Adolescence, Stretchers Youth organization, Dream Achievers Youth Organization, NYECBO, Inuka Success and AFOSI (Joint Submission 20);
JS21	Human Rights Agenda and Haki na Sheria (Joint Submission 21);
JS22	Article 19 EA, Free the Slaves, Haki na Sheria, Human Rights Agenda, Independent Medico Legal Unit, International Centre for Civil and Political Rights, International Commission for Jurists, International Justice Mission, Kenya Human Rights Commission, Katiba Institute, National Coalition of Human Rights Defenders – Kenya, Peace Brigades International Kenya, Reprieve-UK, and Terre Des Hommes (Joint Submission 22);
JS23	Istituto Internazionale Maria Ausiliatrice delle Salesiane di Don Bosco, International Volunteerism Organization for Women, Education and Development, Congregation of Our Lady of Charity of the Good Shepherd, and Daughters of Mary Help of Christians, Province of East Africa (Joint Submission 23);
JS24	Nubian Rights Forum, Haki Centre Organization, Haki na Sheria, Namati, The Institute on Statelessness and Inclusion (Joint Submission 24);
JS25	Kenya Legal and Ethical Issues Network on HIV and AIDS, Afyafrika, Center for Reproductive Rights, Centre for the Study of Adolescence Kenya, EACH Rights, Feminist for Peace Rights and Justice Centre, Global Initiative, Health NGOS Network, Health Options for Young Men on HIV/AIDS/STI, Health Rights Advocacy Forum, JINSIANGU, LVCT Health, Hakijamii – ESRC, Pema Kenya, People’s Health Movement Kenya, Talk It Out CBO, The Cradle, Trans Alliance Kenya, Umande Trust, Undugu Family of Hope, Voluntary Services Organization, Wangu Kanja Foundation, Western Kenya LBQT Feminist Forum, (Joint Submission 25);
JS26	The Kenya Network of People who use drugs, The Caucus for Harm Reduction and Drug Policy Reform, Women in Response to HIV/AIDS and Drug Addiction, Muslim Education and Welfare Association, Teenswatch Centre, Next Generation Lawyers Kenya, Kuza Trust, Kisumu Initiative for People who use drugs, and the African Network of People who use Drugs (Joint Submission 26);
JS27	The Kenya Human Rights Platform (Joint Submission 27);
JS28	The Lutheran World Federation, Geneva (Switzerland), Refugee Consortium of Kenya, Finn Church Aid, Centre for Minority Rights Development, Frena, Community Hope Revival, KADANA, Pamoja Trust, L’Africana, International Detention Coalition, International Rescue Committee, and Caring for widows and orphans RLO (Joint Submission 28);
JS29	National Coalition of Human Rights Defenders, Social Justice Centres Working Group, Coalition for Grassroot Human Rights Defenders, Protection International - Africa, Kenya Human Rights Commission, Pema Kenya, The Gay and Lesbian Coalition of Kenya, Universal Rights Group, Ogiek

- JS30 People's Development Programme, and Women Empowerment and Mentor All (Joint Submission 29); The Orchid Project, and Girls Not Brides Kenya National Partnership (Joint Submission 30);
- JS31 Pendekezo Letu, Each Rights, Child Fund, Equality Now, Plan International, Girls Not Brides Kenya, Forum for African Women Educationalists Kenya, The Cradle – The Children Foundation, Roots and Wings, Malkia Initiative, Terre des Hommes Netherlands, and Wangu Kanja (Joint Submission 31);
- JS32 Privacy International, the Kenya Legal & Ethical Issues Network on HIV and AIDS (KELIN), ICJ-Kenya, Haki Na Sheria Initiative, STOPAIDS (Joint Submission 32);
- JS33 The Africa Centre for Engendered Security, Collaboration of Women in Development, Centre for Human Rights and Policy Studies, Community Development and Sustainability Organization, and Rights & Security International (Joint Submission 33);
- JS34 Article 43 Committee of the Social Justice Centres Working Group, Centre for Minority Rights Development, Concern Worldwide, Consumer Grassroots Association, East Africa Centre for Human Rights, FIAN Kenya, Freedom Development and Progress, GAIN Kenya, Intersectoral Forum on Agrobiodiversity and Agroecology, Jamii Kwanza Youth Organization, Kaka Amua Initiative, KELIN Kenya, Kenya Parliamentary Human Rights Association, KK Law, Lake Region Food Systems Network, RECONCILE, Right to Food Coalition, Rural Outreach Africa, Seed Savers Network Kenya, Slums Information Development and Resource Centres, The African Population and Health Research Center, The Cradle, The Institute for Social Accountability, Welthungerhilfe, and Youth Alive Kenya (Joint Submission 34);
- JS35 Forum for African Women Educationists – Kenya, Nairobi (Kenya), Plan International -Kenya, Nairobi (Kenya), Malkia Initiative, Nairobi (Kenya), Forum for African Women Educationists – Regional Secretariat, Nairobi (Kenya), SRHR Africa Trust, Johannesburg (South Africa) (Joint Submission 35);
- JS36 She Leads Kenya comprising of: Terre des Hommes Netherlands, Plan International Kenya, Kenya Alliance for Advancement of Children, Pamoja CBO, Network for Adolescent and Youth of Africa, African Gender and Media Initiative Trust and Polycom Girls, Plan International Netherlands, Defence for Children - Netherlands, The African Women's Development and Communication Network, and Terre des Hommes Netherlands (Joint Submission 36);
- JS37 KICTANet, The Collaboration on International ICT Policy For East and Southern Africa, and Small Media (Joint Submission 37);
- JS38 Action For Sustainability Initiative, The African Gender and Media Initiative Trust, Centre for the Study of Adolescence, CSO's Network Coast Region, CSO's Network Nyanza Region, Dream Achievers Youth Organization, East African Centre for Human Rights, FIDA Kenya, Kenya Human Rights Commission, Kenya Legal and Ethical Issues Network, MSI Reproductive Choices Kenya, Network of African National Human Rights Institutions, Network for Adolescent and Youth of Africa, Nyimine Empowerment CBO, Positive Young Women Voices, Raise Your Voice, Reproductive Health Choices, Resilience Action International, Reproductive Health Network Kenya, Sexual Reproductive Health Rights Alliance,

- JS39 Stretchers Youth Organization, Talanta Africa, Trust for Indigenous Culture and Health, VSO Kenya, and Zamara Foundation (Joint Submission 38);
- JS40 Network for Adolescents and Youth of Africa, Right Here Right Now Kenya, and Sexual Rights Initiative, Geneva (Switzerland) (Joint Submission 39);
- JS41 Talk it out CBO (Kenya) in collaboration with EACHRights, Kenya Legal and Ethical Issues Network on HIV and AIDS, Umande Trust, MICOP Kenya, Global Initiative, Health Rights Advocacy Forum, LVCT Health, Hakijamii – ESRC, Afyafrika, Feminist for Peace Rights and Justice Centre, Health NGOS Network, Voluntary Services Organization, and Coalition Action for Preventive Mental Health (Joint Submission 40);
- JS42 The Advocates for Human Rights, The International Commission of Jurists – Kenyan Section (ICJ Kenya), Reprieve, and The World Coalition Against the Death Penalty (Joint Submission 41);
- JS43 The World Evangelical Alliance and The Evangelical Alliance of Kenya, Geneva (Switzerland) (Joint Submission 42);
- JS44 Wangu Kanja Foundation, Utu Wetu Trust, The Kenya Legal and Ethical Issues Network, Flone Initiative Trust, Advocates for Social Change Kenya, Peace Brigades International Kenya, HURU Defenders Africa, The African Gender and Media Initiative, Oxfam, Gender Violence Recovery Centre, Trust for Indigenous Culture in Kenya, Kenya Sex Workers Alliance, Centre for Rights Education and Awareness, Independent Medico-Legal Unit, Association of Grassroots Journalists in Kenya, Physicians for Human Rights, Grace Agenda, The Social Justice Movement, Plan International, The CRADLE, Health Options for Young Men on HIV/AIDS/STI, and African Sex Worker Alliance (Joint Submission 43);
- JS45 Joint Initiative for Strategic Religious Action comprising of: Chemchemi Ya Ukweli, Coast Interfaith Council of Clerics, Inter-Religious Council of Kenya, Kenya Community Support Center, Kenya Muslim Youth Alliance, Muslims for Human Rights, Supreme Council of Kenya Muslims, Faith to Action Network, Mensen met een Missie, and Search for Common Ground (Joint Submission 44);
- JS46 Pendekezo Letu, Each Rights, Child Fund, Equality Now, Plan International, Girls Not Brides Kenya, Forum for African Women Educationalists Kenya, The Cradle – The Children Foundation, Roots and Wings, Malkia Initiative, Terre des Hommes Netherlands, and Wangu Kanja (Joint Submission 45);
- JS46 Mangu Integrated Community Project, Suqoon Kenya, UHAI Kenya NGO, Ageing Dignified Kenya, and Kibera Day Care Centre for the Elderly (Joint Submission 46).

National human rights institution:

KNCHR

Kenya National Commission on Human Rights, Nairobi (Kenya).

Regional intergovernmental organization(s):

AU-ACHPR

African Union- African Commission on Human and Peoples' Rights, Banjul, (The Gambia).

³ KNCHR, para. 6, referring to A/HRC/44/9, para. 142.81 (Namibia), 142.82 (Angola), 142.83 (Brazil), 142.84 (Georgia), 142.85 (Mozambique), 142.86 (Romania), 142.87 (Rwanda), 142.88 (South Africa), 142.89 (Switzerland). KNCHR made recommendations (pp.2–3).

⁴ KNCHR, paras. 2 and 3, referring to A/HRC/44/9, para. 142.91 (Canada), para. 142.92 (France), para. 142.94 (Ghana), para. 142.137 (Australia), para. 142.138 (Austria), para. 142.140 (Czechia), para. 142.142 (Botswana), para. 142.144 (France), para. 142.145 (Germany), para. 142.146 (Costa Rica), and para. 142.148 (United States of America). KNCHR made recommendations (p. 1.). See also IMLU, paras. 13 and 14. IMLU made a recommendation (para. 20).

- ⁵ KNCHR, para. 10, referring to A/HRC/44/9, para. 142.36 (Egypt), para. 142.37 (Sierra Leone) and para. 142.38 (Togo). KNCHR made recommendations (p. 4).
- ⁶ KNCHR, para. 7, referring to A/HRC/44/9, para. 142.149 (Argentina), para. 142.135 (Ukraine), and para. 142.51 (Croatia). KNCHR made recommendations (p. 3). See also JS10, para. 44. JS10 made recommendations (paras. 45 and 46); and JS19, para. 17. JS19 made a recommendation (para. 25).
- ⁷ KNCHR, paras. 8 and 9, referring to A/HRC/44/9, para. 142.136 (United Kingdom of Great Britain and Northern Ireland), para. 142.168 (Croatia), para. 142.167 (Japan), para. 142.169 (Vanuatu). KNCHR made recommendations (p. 3).
- ⁸ KNCHR, para. 4, referring to A/HRC/44/9, para. 142.157 (Greece). KNCHR made recommendations (p. 2).
- ⁹ KNCHR, para. 5, referring to A/HRC/44/9, para. 143.139 (Austria) and para. 143.160 (Ireland). KNCHR made recommendations (p. 2). See also JS10, para. 15. JS10 made recommendations (paras. 16 and 17).
- ¹⁰ KNCHR, para. 13, referring to A/HRC/44/9, para. 142.194 (Eritrea). KNCHR made a recommendation (p. 5).
- ¹¹ KNCHR, para. 15, referring to A/HRC/44/9, para. 142.202 (Portugal). KNCHR made recommendations (p. 6).
- ¹² KNCHR, paras. 16 and 17, referring to A/HRC/44/9, para. 142.207 (China), para. 142.208 (Djibouti), para. 142.209 (Mauritius), para. 142.210 (Bolivarian Republic of Venezuela), para. 142.215 (Myanmar), and para. 142.217 (Russian Federation). KNCHR made recommendations (p. 6).
- ¹³ KNCHR, para. 12, referring to A/HRC/44/9, para. 142.73 (Zambia), para. 42.74 (Norway), and para. 142.75 (Switzerland). KNCHR made recommendations (p. 4).
- ¹⁴ KNCHR, para. 22, referring to A/HRC/44/9, para. 142.98 (Belgium), para. 142.99 (Burkina Faso), para. 142.100 (Burkina Faso), para. 142.101 (Cabo Verde), para. 142.102 (Eritrea), para. 142.103 (France), para. 142.104 (Georgia), para. 142.105 (Ghana), para. 142.106 (Ireland), para. 142.107 (Italy), para. 142.108 (Maldives), para. 142.109 (Namibia), para. 142.110 (Nepal), para. 142.111 (New Zealand), para. 142.112 (Costa Rica), para. 142.114 (Senegal), para. 142.115 (Spain), para. 142.116 (Sweden), para. 142.117 (Ukraine), para. 142.133 (Afghanistan), para. 142.115 (Spain), para. 142.117 (Ukraine), para. 142.95 (Zimbabwe), para. 142.96 (Angola), and para. 142.97 (Austria). KNCHR made recommendations (p. 8).
- ¹⁵ KNCHR, para. 18, referring to A/HRC/44/9, para. 142.229 (Poland), para. 142.250 (Iraq), and para. 142.256 (Ukraine). KNCHR made a recommendation (p. 7).
- ¹⁶ KNCHR, para. 22, referring to A/HRC/44/9, para. 142.33 (Canada), para. 142.34 (Norway), para. 142.35 (Chile). KNCHR made recommendations (p. 8).
- ¹⁷ KNCHR, para. 19, referring to A/HRC/44/9, para. 142.248 (Algeria), para. 142.249 (Egypt), para. 142.250 (Iraq), para. 142.251 (Libya), para. 142.252 (Saudi Arabia), para. 142.253 (Serbia), para. 142.254 (Singapore), and para. 142.255 (Sudan). KNCHR made a recommendation (p. 7).
- ¹⁸ KNCHR, para. 21, referring to A/HRC/44/9, para. 142.118 (Gabon), para. 142.119 (Comoros), para. 142.120 (Congo), para. 142.121 (Nepal), para. 142.122 (Costa Rica), para. 142.123 (Senegal), and para. 142.124 (Somalia). KNCHR made a recommendation (p. 8).
- ¹⁹ KNCHR, para. 20, referring to A/HRC/44/9, para. 142.259 (Afghanistan) and para. 142.260 (Zambia). KNCHR made a recommendation (p. 7).
- ²⁰ The following abbreviations of international human rights instruments are used in UPR documents:
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| ICERD | International Convention on the Elimination of All Forms of Racial Discrimination |
| ICESCR | International Covenant on Economic, Social and Cultural Rights |
| OP-ICESCR | Optional Protocol to ICESCR |
| ICCPR | International Covenant on Civil and Political Rights |
| ICCPR-OP 1 | Optional Protocol to ICCPR |
| ICCPR-OP 2 | Second Optional Protocol to ICCPR, aiming at the abolition of the death penalty |
| CEDAW | Convention on the Elimination of All Forms of Discrimination against Women |
| OP-CEDAW | Optional Protocol to CEDAW |
| CAT | Convention against Torture and Other Cruel, Inhuman or Degrading Treatment or Punishment |
| OP-CAT | Optional Protocol to CAT |
| CRC | Convention on the Rights of the Child |
| OP-CRC-AC | Optional Protocol to CRC on the involvement of children in armed conflict |
| OP-CRC-SC | Optional Protocol to CRC on the sale of children, child |

OP-CRC-IC	prostitution and child pornography
ICRMW	Optional Protocol to CRC on a communications procedure
	International Convention on the Protection of the Rights of All Migrant Workers and Members of Their Families
CRPD	Convention on the Rights of Persons with Disabilities
OP-CRPD	Optional Protocol to CRPD
ICPPED	International Convention for the Protection of All Persons from Enforced Disappearance

- ²¹ JS9, paras. 17 and 37, referring to A/HRC/44/9, para. 144.10 (France) and para. 144.11 (Seychelles). See also JS10, para. 7. JS10 made a recommendation (para. 9); JS21, para. 13. JS21 made a recommendation (para. 33); IMLU, para. 24. IMLU made a recommendation (para. 27); and JS33, para. 12. JS33 made a recommendation (p. 6).
- ²² JS10, para. 11. JS10 made a recommendation (para. 13). See also JS11, p. 2. JS11 made a recommendation (p. 3).
- ²³ IMLU, para. 23. IMLU made a recommendation (para. 26).
- ²⁴ JS31, para. 44. JS31 made a recommendation (para. 51).
- ²⁵ The Domestic Workers Convention, 2011 (No. 189).
- ²⁶ The Violence and Harassment Convention, 2019 (No. 190).
- ²⁷ JS43, para. 20.
- ²⁸ ICAN, pp. 1–2.
- ²⁹ CGNK, p. 4.
- ³⁰ JS6, para. 37. JS6 made recommendations (p. 13). See also JS10, para. 22. JS10 made recommendations (paras. 23–25); JS29, para. 3.8. JS29 made recommendations (para. 6.6); and JS5, para. 27.
- ³¹ JS6, para. 18. JS6 made recommendations (p. 5).
- ³² JS16, para. 50. JS16 made a recommendation (para. 55).
- ³³ JS24, paras. 6 and 11. JS24 made a recommendation (para. 21).
- ³⁴ JS18, paras. 25 and 27. JS18 made recommendations (para. 50). See also JS29, para. 2.4.
- ³⁵ TCC, p. 3. TCC made a recommendation (p. 3).
- ³⁶ JS27, paras. 8 and 9. JS27 made a recommendation (p. 6).
- ³⁷ WCC-CCIA, pp. 4–5. WCC-CCIA made recommendations (p. 5).
- ³⁸ JS3, paras. 32–40, referring to A/HRC/44/9, para. 144.27 (Iceland), para. 144.28 (Australia), para. 144.29 (Czechia), para. 144.31 (Chile), para. 144.32 (France), para. 144.33 (Italy), para. 144.35 (Malta), para. 144.36 (Mexico), para. 144.37 (New Zealand), para. 144.38 (Slovenia), para. 144.39 (Spain), and para. 144.40 (United States of America). JS3 made recommendations (para. 57). See also JS27, para. 15. JS27 made recommendations (p. 9); and EATHAN, paras. 8 and 9. EATHAN made recommendations (p. 6).
- ³⁹ JS41, para. 6, referring to A/HRC/44/9, para. 142.81 (Namibia), para. 142.82 (Angola), para. 142.83 (Brazil), para. 142.84 (Georgia), para. 142.85 (Mozambique), para. 142.86 (Romania), para. 142.87 (Rwanda), para. 142.88 (South Africa), and para. 142.89 (Switzerland).
- ⁴⁰ JS41, para. 6, referring to A/HRC/44/9, para. 144.42 (Australia), para. 144.43 (Cabo Verde) (Slovenia) (Togo), para. 144.44 (Fiji), and para. 144.45 (France).
- ⁴¹ JS10, para. 11. JS10 made recommendations (paras. 12–14). See also JS11, p. 2. JS11 made recommendations (p. 2); JS14, paras. 9 and 46. JS14 made recommendations (para. 49). See also ICJ, p. 4. ICJ made recommendations (p. 4); and IMLU, para. 16. IMLU made recommendations (para. 21).
- ⁴² JS9, para. 17, referring to A/HRC/44/9, para. 142.19 (Italy), para. 142.56 (Finland), para. 142.90 (Republic of Korea), para. 142.137 (Australia), para. 142.138 (Austria), para. 142.140 (Czechia), para. 142.142 (Botswana), para. 142.145 (Germany), para. 142.146 (Costa Rica), para. 142.147 (; United Kingdom of Great Britain and Northern Ireland), para. 142.148 (United States of America) and para. 142.144 (France).
- ⁴³ JS22, paras. 25 and 26. JS22 made recommendations (paras. 41 and 42). See also JS33, para. 9. JS33 made recommendations (p. 6).
- ⁴⁴ JS21, para. 5. JS22, paras. 5 and 7. JS22 made recommendations (paras. 15 and 16. See also JS10, paras. 7, 8 and 10; ICJ, p. 3. ICJ made recommendations (p. 3); and JS33, para. 11.
- ⁴⁵ ACHPR, p. 7.
- ⁴⁶ FPU, para. 2.4, referring to A/HRC/44/9, para. 142.143 (Estonia). FPU made a recommendation (para. 3.1). See also JS5, para. 23.
- ⁴⁷ JS22, paras. 46–48. JS22 made recommendations (paras. 56–62).
- ⁴⁸ JS41, para. 21. JS41 made a recommendation (p. 11).
- ⁴⁹ JS11, p. 3. JS11 made a recommendation (p. 3). See also JS41, para. 27. JS41 made recommendations (p. 12).

- ⁵⁰ JS33, para. 8.
- ⁵¹ JS33, paras. 15 and 16. JS33 made a recommendation (p. 6).
- ⁵² JS44, p. 7.
- ⁵³ ICJ, p. 2. ICJ made recommendations (p. 2).
- ⁵⁴ ICJ, p. 1. ICJ made recommendations (p. 1). See also JS10, para. 18. JS10 made recommendations (paras. 19–21).
- ⁵⁵ JS41 referring to *Muruatetu & another v Republic; Katiba Institute & 5 others (Amicus Curiae)* (Petition 15 & 16 of 2015 (Consolidated)) [2017] KESC 2 (KLR) (14 December 2017) (Judgment).
- ⁵⁶ JS41, paras. 12 and 14. JS41 made recommendations (p. 11).
- ⁵⁷ JS2, para. 23. JS2 made a recommendation (para. 29). JS36, para. 53. See also JS19, para. 10.
- ⁵⁸ JS43, paras. 7 and 10.
- ⁵⁹ PHR, paras. 12 and 13, referring to A/HRC/44/9, para. 142.136 (United Kingdom, of Great Britain and Northern Ireland). PHR made recommendations (p. 6).
- ⁶⁰ JS31, para. 6. JS31 made recommendations (paras. 21–24).
- ⁶¹ sexual orientation, gender identity, gender expression and sex characteristics.
- ⁶² NL, pp. 7–8.
- ⁶³ ECLJ, paras. 3, 7 and 18, referring to A/HRC/44/9, para. 142.151 (Haiti). ECLJ made a recommendation (para. 19). See also LWF, p. 3.
- ⁶⁴ LWF, p. 3. LWF made recommendations (p. 3).
- ⁶⁵ JS6, paras. 4, 11 and 12, referring to A/HRC/44/9, para. 142.155 (Czechia), para. 142.154 (Australia), para. 142.158 (Uruguay), para. 142.159 (France), para. 142.160 (Ireland), para. 142.161 (Norway). JS6 made recommendations (p. 3). See also JS10, para. 34. JS10 made recommendations (paras. 35–37).
- ⁶⁶ JS5, paras. 18 and 19. JS5 made recommendations (pp. 15–16). See also JS6, paras. 14, 15 and 17. JS6 made recommendations (p. 5); JS12, para. 5.2; JS29, para. 5.3 and JS37, para. 41. JS37 made a recommendation (para. 76).
- ⁶⁷ JS37, para. 32. JS37 made recommendations (para. 72).
- ⁶⁸ JS10, paras. 17 and 26. JS10 made recommendations (paras. 27 and 28); JS37, para. 46. JS37 made a recommendation (para. 73); and JS5, para. 24.
- ⁶⁹ FPU, para. 21, referring to A/HRC/44/9, para. 142.158 (Uruguay), para. 142.157 (Greece), and para. 142.154 (Australia).
- ⁷⁰ JS12, para. 3.2. JS12 made recommendations (para. 6.4). See also JS29, para. 3.1. JS29 made recommendations (para. 6.6).
- ⁷¹ JS9, paras. 5–7. JS9 made recommendations (paras. 46 and 47). See also JS12, para. 3.6; ICJ, pp. 7–8. ICJ made recommendations (p. 8); JS37, paras. 12 and 13; and JS44, pp. 5–6. JS44 made recommendations (p. 8).
- ⁷² JS5, para. 25. See also JS37, para. 18.
- ⁷³ JS37, para. 19.
- ⁷⁴ JS9, para. 21, referring to A/HRC/44/9, para. 142.143 (Estonia), para. 142.154 (Australia), para. 142.155 (Czechia) and para. 142.157 (Greece). See also JS29, para. 4.4, referring to A/HRC/44/9, para. 142.139 (Austria) and para. 142.161 (Norway). JS29 made recommendations (para. 6.4).
- ⁷⁵ JS29 made recommendations (para. 6.4). JS10, para. 15. JS10 made recommendations (paras. 16 and 17).
- ⁷⁶ JS12, para. 2.3. See also JS29, para. 2.5.
- ⁷⁷ JS6, para. 31, referring to A/HRC/44/9, para. 142.164 (United States of America) and 143.3 (Germany) and A/HRC/44/9/Add.1, para. 6.
- ⁷⁸ JS6, para. 34. JS6 made recommendations (para. 11). See also JS10, para. 41. JS10 made recommendations (paras. 42 and 43); JS12, paras. 2.6 and 2.7. JS12 made recommendations (paras. 6.1); and JS29, paras. 2.7 and 2.8. JS29 made recommendations (para. 6.3).
- ⁷⁹ JS6, para. 45. JS6 made recommendations (p. 14). See also JS10, para. 38. JS10 made recommendations (paras. 39 and 40).
- ⁸⁰ JS2, paras. 62 and 63. JS2 made a recommendation (para. 68) and JS36, paras. 25, 27 and 28. JS36 made a recommendation (para. 33). See also TCC, p. 5. TCC made a recommendation (p. 6); and WCC-CCIA, p. 4.
- ⁸¹ ICJ, p. 1. ICJ made recommendations (p. 2). See also TCC, p. 3. TCC made a recommendation (p. 4).
- ⁸² JS6, para. 20, referring to A/HRC/44/9, para. 142.176 (Germany). See also JS6, paras. 20–22. JS6 made recommendations (pp. 6–7); and JS10, para. 3. JS10 made recommendations (paras. 4–6).
- ⁸³ ICJ, p. 5. ICJ made recommendations (p. 5). See also JS32, para. 24.
- ⁸⁴ JS32, para. 25. See also TCC, p. 6. TCC made a recommendation (p. 6).
- ⁸⁵ JS5, para. 38. JS5 made recommendations (p. 16). See also ICJ, p. 6. ICJ made recommendations (p. 6).
- ⁸⁶ JS1, paras. 11–13.

- ⁸⁷ JS10, para. 91. JS10 made recommendations (paras. 92–94).
- ⁸⁸ ICJ, pp. 6–7. ICJ made recommendations (p. 7).
- ⁸⁹ JS2, para. 71–72. JS2 made recommendations (para. 78–80).
- ⁹⁰ EATHAN, para. 7.
- ⁹¹ JS43, para. 14.
- ⁹² JS14, paras. 5, 20 and 21. JS14 made recommendations (para. 23).
- ⁹³ ICJ, p. 6. ICJ made recommendations (p. 11).
- ⁹⁴ JS17, para. 18, referring to A/HRC/44/9, para. 142.66 (Barbados) and para. 142.259 (Afghanistan).
- ⁹⁵ JS34, para. 13. JS34 made recommendations (pp. 9–11). See also JS10, para. 64. JS10 made a recommendation (para. 65).
- ⁹⁶ JS4, paras. 13 and 16. JS4 made recommendations (paras. 17–19). See also JS10, para. 82. JS10 made recommendations (paras. 83–85); and JS7, para. 39. JS7 made recommendations (paras. 42–45).
- ⁹⁷ JS34, para. 3. JS34 made recommendations (pp. 9–10).
- ⁹⁸ JS15, para. 46. JS15 made recommendations (paras. 50–53).
- ⁹⁹ JS14, paras. 12 and 13. JS14 made recommendations (para. 18).
- ¹⁰⁰ JS10, para. 50. JS10 made recommendations (paras. 51–54); See also JS15, para. 41; ICJ, p. 7. ICJ made recommendations (p. 7); and JS14, paras. 12 and 13. JS14 made recommendations (para. 18).
- ¹⁰¹ JS15, paras. 55 and 57. JS15 made recommendations (paras. 65–69).
- ¹⁰² JS14, paras. 4, 15 and 16. JS14 made recommendations (para. 18).
- ¹⁰³ JS15, para. 6. JS15 made a recommendation (para. 14). See also JS10, para. 60. JS10 made recommendations (paras. 61–63); and WCC-CCIA, pp. 7–8. WCC-CCIA made recommendations (p. 9).
- ¹⁰⁴ JS23, para. 10. JS23 made a recommendation (para. 15).
- ¹⁰⁵ JS20, para. 33. JS20 made a recommendation (para. 41); JS25, para. 1. JS25 made recommendations (para. 17); and JS38, para. 21. JS38 made a recommendation (para. 29).
- ¹⁰⁶ JS10, paras. 67–69. JS10 made recommendations (paras. 70 and 71). See also JS25, para. 5.
- ¹⁰⁷ JS35, paras. 9 and 11, referring to A/HRC/44/9, para. 142.202 (Portugal). See also JS38, para. 5; and JS39, para. 40. JS39 made recommendations (pp. 11–12).
- ¹⁰⁸ JS10, para. 72. JS10 made recommendations (paras. 73 and 74); JS20, para. 9. JS20 made a recommendation (para. 20); and JS38, para. 7. See also JS25, para. 40. JS25 made recommendations (para. 50).
- ¹⁰⁹ JS35, paras. 19 and 20. JS35 made a recommendation (para. 8). See also JS1, paras. 8, 9 and 10.
- ¹¹⁰ JS38, para. 16. JS38 made a recommendation (para. 19).
- ¹¹¹ JS2, para. 43 and 50. JS2 made recommendations (paras. 52, 55 and 56.). JS36, para. 75. JS36 made recommendations (paras. 79 and 80).
- ¹¹² C-Fam, para. 5. C-Fam made a recommendation (para. 22).
- ¹¹³ ADF, paras. 3–4. ADF made recommendations (para. 23).
- ¹¹⁴ JS20, paras. 23–25. JS38, paras. 33–35. See also JS39, para. 46. JS39 made recommendations (pp. 11–12).
- ¹¹⁵ C-Fam, paras. 6 and 8. C-Fam made a recommendation (para. 23).
- ¹¹⁶ JS3, paras. 41–47, referring to referring to A/HRC/44/9, para. 142.197 (Dominican Republic), para. 142.202 (Portugal), and para. 142.203 (Portugal). JS3 made recommendations (para. 57).
- ¹¹⁷ J25, paras. 54 and 56. JS25 made recommendations (para. 61).
- ¹¹⁸ CAPMHK, p. 2. CAPMHK made recommendations (p. 3). See also JS10, para. 77. JS10 made recommendations (paras. 78–81); JS25 para. 51. JS25 made recommendations (para. 61); JS40, p. 3. JS40 made recommendations (pp. 3–4); and JS23, para. 48. JS23 made recommendations (para. 49).
- ¹¹⁹ NL, pp. 3–4.
- ¹²⁰ JS26, paras. 2, 3, 17, and 28. JS26 made recommendations (paras. 11–15, 23–27 and 35–43). JS8, paras. 1, 16 and 28. JS8 made recommendations (paras. 11–15, 23–27 and 35–43.) See also JS10, para. 110. JS10 made recommendations (paras. 111 and 112).
- ¹²¹ JS20, paras. 12 and 13. See also JS25, paras. 19 and 43. JS25 made recommendations (para. 31).
- ¹²² sexual orientation, gender identity, gender expression and sex characteristics.
- ¹²³ JS27, p. 2. JS27 made recommendations (p. 4).
- ¹²⁴ JS25, para. 32. JS25 made recommendations (para. 39).
- ¹²⁵ JS16, paras. 4, 8, 9–11, 12, 16, 24, 64 and 65. JS16 made recommendations (paras. 19–30, 32, 33 and 66).
- ¹²⁶ JS17, para. 11, referring to A/HRC/44/9, para. 142.207 (China) and para. 142.208 (Djibouti).
- ¹²⁷ JS14, paras. 31 and 33. JS14 made recommendations (para. 37).
- ¹²⁸ JS10, para. 55. JS10 made recommendations (paras. 56 and 57). See also JS16, para. 35; and JS17, para. 11.
- ¹²⁹ JS23, para. 11. JS23 made a recommendation (para. 15).
- ¹³⁰ JS39, paras. 33 and 34. JS39 made recommendations (pp. 11–12). See also JS14, para. 26. JS14 made

- recommendations (para. 28); JS10, para. 72; and JS1, para. 14. JS1 made recommendations (p. 5).
- ¹³¹ JS16, para. 42. JS16 made a recommendation (para. 43).
- ¹³² JS44, p. 8.
- ¹³³ JS10, para. 29. JS10 made recommendations (paras. 30–33).
- ¹³⁴ JS4, paras. 6–8, and 10. JS4 made recommendations (paras. 11 and 12).
- ¹³⁵ JS4, para. 20. JS4 made recommendations (paras. 28–30).
- ¹³⁶ JS7, para. 60. JS7 made recommendations (para. 64).
- ¹³⁷ JS2, para. 20. JS2 made a recommendation (para. 27).
- ¹³⁸ JS13, paras 25 (b) and (c). JS13 made recommendations (para. 33). See also PHP, para. 16.
- ¹³⁹ JS2, para. 16 and JS36, para. 45. JS36 made recommendations (paras. 56 and 57). See also JS10, para. 99. JS10 made recommendations (paras. 100–102); JS23, para. 29. JS23 made recommendations (para. 35); and JS5, para. 43. JS5 made recommendations (p. 17).
- ¹⁴⁰ JS43, para. 54.
- ¹⁴¹ JS2, para. 22. JS2 made a recommendation (para. 28).
- ¹⁴² JS35, paras. 1–6, referring to A/HRC/44/9, para. 142.94 (Zimbabwe), para. 142.96 (Angola), para. 142.97 (Austria), para. 142.98 (Belgium), para. 142.99 (Burkina Faso), para. 142.100 (Burkina Faso), para. 142.101 (Cabo Verde), para. 142.102 (Eritrea), para. 142.103 (France), para. 142.104 (Georgia), para. 142.105 (Ghana), para. 142.106 (Ireland), para. 142.107 (Italy), para. 142.108 (Maldives), para. 142.109 (Namibia), para. 142.110 (Nepal), para. 142.111 (New Zealand), para. 142.112 (Costa Rica), para. 142.113 (Philippines), para. 142.114 (Senegal), para. 142.115 (Spain), para. 142.116 (Sweden), and para. 142.117 (Ukraine). JS35 made recommendations (p. 7). See also JS44, pp. 12–13. JS44 made recommendations (p. 13); JS30, paras. 19 and 24. JS30 made recommendations (paras. 25 and 26); JS45, para. 7. JS45 made recommendations (paras. 13 and 14); and WCC-CCIA, p. 2. WCC-CCIA made recommendations (pp. 2–3).
- ¹⁴³ JS10, para. 89. JS10 made a recommendation (para. 90). See also JS31, para. 25. JS31 made recommendations (paras. 30 and 31).
- ¹⁴⁴ JS30, paras. 5 and 10, referring to A/HRC/44/9, para. 142.33 (Canada) and para. 142.34 (Norway). JS30 made recommendations (paras. 14–17). JS45, para. 15. JS45 made recommendations (paras. 21 and 22). See also JS35, para. 4. JS35 made a recommendation (p. 7); JS38, paras. 43–45. JS38 made recommendations (paras. 51–53); and WCC-CCIA, pp. 3–4. WCC-CCIA made recommendations (p. 4).
- ¹⁴⁵ JS45, paras. 23, 24, 30–35. JS45 made recommendations (paras. 38–40).
- ¹⁴⁶ JS46, paras. 1 and 10. JS46 made a recommendation (p. 4).
- ¹⁴⁷ JS10, para. 86. JS10 made recommendations (paras. 87 and 88). See also JS46, para. 9. JS46 made a recommendation (p. 3).
- ¹⁴⁸ JS14, paras 40 and 43. JS14 made recommendations (para. 45).
- ¹⁴⁹ JS15, paras. 70 and 73. JS15 made recommendations (paras. 78–87). See also JS7, para. 30. JS7 made a recommendation (para. 33); and JS10, para. 47. JS10 made recommendations (paras. 48 and 49).
- ¹⁵⁰ JS7, paras. 9–13. JS7 made recommendations (paras. 16–21). See also JS34, para. 5.
- ¹⁵¹ JS7, paras. 22, 23 and 47. JS7 made recommendations (paras. 26–29, 48 and 49). See also JS10, para. 103. JS10 made recommendations (paras. 104 and 105).
- ¹⁵² JS3, paras. 5, 6 and 27. JS3 made recommendations (para. 57).
- ¹⁵³ JS18, para. 16. JS18 made recommendations (para. 50).
- ¹⁵⁴ JS3, paras. 10 and 11. JS3 made recommendations (para. 57).
- ¹⁵⁵ EATHAN, paras. 3 and 4. EATHAN made recommendations (p. 5).
- ¹⁵⁶ JS28, paras. 4, 6, 9, and 10. (JS28 made recommendations (para. 12)).
- ¹⁵⁷ JS24, paras. 7 and 16.